priority for the 110th Congress; considered and agreed to.

By Mr. CHAMBLISS:

S. Res. 620. A resolution designating November 2006 as ''National Lung Cancer Awareness Month''; considered and agreed to.

By Mr. CRAPO (for himself, Mrs. CLINTON, Mr. LIEBERMAN, Ms. MURKOWSKI, and Mr. MENENDEZ):

S. Res. 621. A resolution designating the week of February 5 through February 9, 2007, as ''National Teen Dating Violence Awareness and Prevention Week''; considered and agreed to.

ADDITIONAL COSPONSORS

S. 408

At the request of Mr. DEWINE, the name of the Senator from Texas (Mr. CORNYN) was added as a cosponsor of S. 408, a bill to provide for programs and activities with respect to the prevention of underage drinking.

S. 1081

At the request of Mr. KYL, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 1081, a bill to amend title XVIII of the Social Security Act to provide for a minimum update for physicians' services for 2006 and 2007.

S. 1508

At the request of Mr. COCHRAN, the name of the Senator from South Carolina (Mr. GRAHAM) was added as a cosponsor of S. 1508, a bill to require Senate candidates to file designations, statements, and reports in electronic form.

At the request of Mr. FEINGOLD, the names of the Senator from Massachusetts (Mr. KERRY) and the Senator from Colorado (Mr. SALAZAR) were added as cosponsors of S. 1508, supra.

S. 2375

At the request of Mr. COLEMAN, the name of the Senator from Maryland (Mr. SARBANES) was added as a cosponsor of S. 2375, a bill to amend the Public Health Service Act to advance medical research and treatments into pediatric cancers, ensure patients and families have access to the current treatments and information regarding pediatric cancers, establish a population-based national childhood cancer database, and promote public awareness of pediatric cancers.

S. 2506

At the request of Mr. OBAMA, the name of the Senator from Michigan (Mr. LEVIN) was added as a cosponsor of S. 2506, a bill to require Federal agencies to support health impact assessments and take other actions to improve health and the environmental quality of communities, and for other purposes.

S. 2990

At the request of Mr. VITTER, the name of the Senator from Oklahoma (Mr. INHOFE) was added as a cosponsor of S. 2990, a bill to amend title XVIII of the Social Security Act to restore financial stability to Medicare anesthesiology teaching programs for resident physicians.

S. 3491

At the request of Mr. VOINOVICH, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 3491, a bill to establish a commission to develop legislation designed to reform tax policy and entitlement benefit programs and to ensure a sound fiscal future for the United States, and for other purposes.

S. 3677

At the request of Mr. BINGAMAN, the name of the Senator from Colorado (Mr. SALAZAR) was added as a cosponsor of S. 3677, a bill to amend title XVIII of the Social Security Act to eliminate the in the home restriction for Medicare coverage of mobility devices for individuals with expected long-term needs.

S. 3678

At the request of Mr. BURR, the name of the Senator from Georgia (Mr. CHAMBLISS) was added as a cosponsor of S. 3678, a bill to amend the Public Health Service Act with respect to public health security and all-hazards preparedness and response, and for other purposes.

S. 3685

At the request of Mr. BOND, the name of the Senator from North Dakota (Mr. CONRAD) was added as a cosponsor of S. 3685, a bill to establish a grant program to provide vision care to children, and for other purposes.

S. 3744

At the request of Mr. DURBIN, the names of the Senator from California (Mrs. FEINSTEIN) and the Senator from Georgia (Mr. CHAMBLISS) were added as cosponsors of S. 3744, a bill to establish the Abraham Lincoln Study Abroad Program.

S. 3768

At the request of Mr. LEAHY, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 3768, a bill to prohibit the procurement of victim-activated landmines and other weapons that are designed to be victim-activated.

S. 3775

At the request of Mr. DURBIN, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 3775, a bill to amend the Foreign Assistance Act of 1961 to assist countries in sub-Saharan Africa in the effort to achieve internationally recognized goals in the treatment and prevention of HIV/AIDS and other major diseases and the reduction of maternal and child mortality by improving human health care capacity and improving retention of medical health professionals in sub-Saharan Africa, and for other purposes.

S. 3787

At the request of Mr. SANTORUM, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 3787, a bill to establish a congressional Commission on the Abolition of Modern-Day Slavery.

S. 3910

At the request of Mrs. CLINTON, the names of the Senator from Washington (Ms. CANTWELL) and the Senator from Arkansas (Mr. PRYOR) were added as cosponsors of S. 3910, a bill to direct the Joint Committee on the Library to accept the donation of a bust depicting Sojourner Truth and to display the bust in a suitable location in the Capitol.

S. 4014

At the request of Mr. LUGAR, the name of the Senator from Georgia (Mr. CHAMBLISS) was added as a cosponsor of S. 4014, a bill to endorse further enlargement of the North Atlantic Treaty Organization (NATO) and to facilitate the timely admission of Albania, Croatia, Georgia, and Macedonia to NATO, and for other purposes.

S. 4046

At the request of Ms. COLLINS, the names of the Senator from Iowa (Mr. HARKIN) and the Senator from Arizona (Mr. MCCAIN) were added as cosponsors of S. 4046, a bill to extend oversight and accountability related to United States reconstruction funds and efforts in Iraq by extending the termination date of the Office of the Special Inspector General for Iraq Reconstruction.

At the request of Mr. AKAKA, his name was added as a cosponsor of S. 4046, supra.

S. RES. 549

At the request of Mr. SANTORUM, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. Res. 549, a resolution expressing the sense of the Senate regarding modern-day slavery.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

Mr. LAUTENBERG:

S. 4059. A bill to prohibit departments, agencies, and other instrumentalities of the Federal Government from providing assistance to an entity for the development of course material or the provision of instruction on human development and sexuality, if such material or instruction will include medically inaccurate information, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

Mr. LAUTENBERG. Mr. President, I rise to introduce and discuss my bill, the ''Guarantee of Medical Accuracy in Sex Education Act.''

My bill would require that federally-funded sex education/abstinence only programs contain medically accurate and factual information as part of any course instruction.

During the past few years, there has been an increase in the number of federally funded programs using curricula that provide medically inaccurate or misleading information.

Some of these medical inaccuracies include teaching young people that HIV can be transmitted by sweat and tears, citing failure rates of condoms as high as 69 percent, as well as giving inaccurate symptoms and outcomes of sexually transmitted diseases. In addition, some federally funded programs

provided erroneous information about basic scientific facts, for example, stating that human cells have 24 chromosomes from each parent when in fact the number is 23.

Inaccurate information regarding contraception and STD/HIV prevention can make sex education both dangerous and counterproductive. Responsible sex education, by contrast, is an important component of a strategy to reduce unintended pregnancies, decrease the number of abortions, and mitigate the incidence of STD's.

Instruction regarding sexual health and reproduction that includes inaccurate or biased information is not only irresponsible, but it is also dangerous, and it puts our young people at risk for unintended pregnancy and disease.

I urge my colleagues to support medically accurate sex-education—programs that helps young people to develop the proper understanding of their sexuality, so they can make responsible decisions throughout their lives.

I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 4059

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Guarantee of Medical Accuracy in Sex Education Act''.

SEC. 2. FINDINGS.

The Congress finds as follows:

(1) A 2006 Government Accountability Office report entitled ''Abstinence Education: Efforts to Assess the Accuracy and Effectiveness of Federally Funded Programs'' finds that the Department of Health and Human Services does not review the content of the major federally funded abstinence-only education programs for accuracy.

(2) All federally funded programs aimed at helping young people make healthy decisions regarding their relationships and sexual health should include medically accurate information.

(3) A 2004 report from the Minority Office of the Committee on Government Reform of the House of Representatives found serious medical inaccuracies associated with a large majority of federally funded abstinence-only-until-marriage programs.

(4) The Society for Adolescent Medicine (SAM) found in a 2006 position paper that abstinence-only-until-marriage programs ''provide incomplete and/or misleading information'' and states that ''efforts to promote abstinence should be based on sound science''.

(5) The American College of Obstetricians and Gynecologists have also expressed ''the importance of ensuring that all federally funded sexuality education programs include information that is medically accurate and complete''.

(6) The American Academy of Pediatrics (AAP) believes that ''children and adolescents need accurate and comprehensive education about sexuality to practice healthy sexual behavior as adults''.

(7) The American Public Health Association (APHA) ''recognize[s] that sexuality is a normal, healthy aspect of human development . . . and that individuals of all ages require complete and accurate information about all aspects of sexuality''. APHA ''endorses the right of children and youth to receive comprehensive sexuality education that includes facts, information, and data and that demonstrates an appreciation of racial, ethnic, and cultural diversity''.

(8) The American Medical Association ''urges schools to implement comprehensive, developmentally appropriate sexuality education programs that are based on rigorous, peer reviewed science''.

(9) Over 1 billion dollars in citizen taxpayer money has been spent on abstinence-only-until-marriage programs in the past quarter century without significant monitoring of the content of these programs in order to guarantee they contain medically accurate information and exclude inaccurate data.

SEC. 3. MEDICALLY INACCURATE SEX EDUCATION.

(a) REQUIREMENTS.—A department, agency, or other instrumentality of the Federal Government shall not provide funds or other assistance to an entity for the development of course material or the provision of instruction on human development and sexuality, including any sex education, family life education, abstinence education, comprehensive health education, or character education, if such material or instruction will include medically inaccurate information. Before providing such funds or other assistance, the department, agency, or instrumentality shall require a sufficient assurance that such material or instruction will not include medically inaccurate information.

(b) DEFINITIONS.—In this Act, the term ''medically inaccurate information'' means information related to medical, psychiatric, psychological, empirical, or statistical statements that is unsupported or contradicted by peer-reviewed research by leading medical, psychological, psychiatric, and public health organizations and agencies.

By Mr. DODD:

S. 4060. A bill to amend the Military Commissions Act of 2006 to improve and enhance due process and appellate procedures, and for other purposes; to the Committee on Armed Services.

Mr. DODD. Mr. President: I rise to introduce the Effective Terrorists Prosecution Act of 2006. This legislation would make critically important changes to the measure that Congress narrowly approved on September 29, the Military Commissions Act of 2006. Let me be clear from the outset of my remarks. I will take a backseat to no one when it comes to defending our country against terrorism. I fully support the use of military commissions to protect U.S. intelligence and expedite judicial proceedings vital to military action under the Uniform Code of Military Justice. Unlike the Administration, I trust the United States military and our legal system to arbitrate decisions related to enemy combatants.

I strongly believe that terrorists who seek to destroy America must be punished for any wrongs they commit against this country. But in my view, in order to sustain America's moral authority and win a lasting victory against our enemies, such punishment must be meted out only in accordance with the rule of law.

My legislation provides essential legal tools for our war on terror in seven key ways: It restores the writ of habeas corpus for individuals held in U.S. custody. It narrows the definition of unlawful enemy combatant to individuals who directly participate in hostilities against the United States who are not lawful combatants. It prevents the use of evidence in court gained through the unreliable and immoral practices of torture and coercion. It empowers military judges to exclude hearsay evidence they deem to be unreliable. It authorizes the U.S. Court of Appeals for the Armed Forces to review decisions by the military commissions. It limits the authority of the President to interpret the meaning and application of the Geneva Conventions and makes that authority subject to congressional and judicial oversight. Finally, it provides for expedited judicial review of the Military Commissions Act of 2006 to determine the constitutionality of its provisions.

Before I elaborate on each of these critical points, let me simply underscore the point that for more than 200 years, our Nation has served as a shining example in its promotion of civil and human rights throughout the world. Denial of basic legal proceedings to individuals held in the custody of the United States has raised questions over our basic adherence to the U.S. Constitution and also diminished our reputation around the world. American citizens are questioning their own government's judgments, terrorists are citing American abuses to recruit new loyalists, and American servicemembers fear detention overseas under similarly abusive conditions in violation of their human rights.

Supporters of the administration's law may say that to speak out against its enactment is being soft on terrorism. Not only is this sentiment wholly inaccurate, it underestimates a fundamental strength of our Nation and the best defense against terrorists—respect for the rule of law.

For instance, the administration-backed law eliminates the principle of habeas corpus which has served as the backbone of common law since before the Magna Carta in the 13th century. Under the writ of habeas corpus independent courts may review the legality of custody decisions. My legislation would restore this basic tenet in the context of military commissions.

The administration's approach allows the President to remove anyone he so chooses from America's standard jurisprudence and designate him or her as an ''unlawful enemy combatant'' if he has engaged in hostilities or supported hostilities against the United States. Such individuals are subject to arrest and detention indefinitely without charge. In contrast, my legislation allows the designation of ''unlawful enemy combatants'' only for those individuals engaged in armed conflict against the United States. This provision seeks to curtail potential abuse of the enemy combatant designation so that holding individuals in detention indefinitely without a trial will prove

to be the exception rather than the norm.

Also, unlike the law backed by the administration, my bill further promotes humane treatment of military personnel by prohibiting the use of evidence gained by coercion in a trial. Such a provision is critically important for two reasons. First, the use of torture has been proven ineffective in interrogations when a detainee simply says what he believes an interrogator wants to hear in order to stop the torture. Second it deprives foreign militaries the ability to cite U.S. actions to justify their own misconduct toward future American POWs.

My bill grants discretion to military judges to exclude hearsay evidence determined to be unreliable. Under my legislation, judges are given discretion in the event that classified evidence has a bearing on the innocence of an individual, but is excluded due to national security concerns and declassified alternatives are insufficient. America's military judges have been fully trained and prepared to handle classified information. The Bush administration's failure to recognize this fact is an insult to the men and women of our military's bench and an affront to the U.S. military legal system. Moreover, my bill properly grants the Armed Forces judicial review of these decisions unlike the administration's law which denies the United States Court of Appeals of the Armed Forces the right to hearing military commission appeals.

And, just as important as restoring our commitment in the Uniform Code of Military Justice, my legislation would also reaffirm America's commitment to the contents of the Geneva Conventions. In contrast, the Administration's Military Commissions Act gives unprecedented authority to the president to define what interrogation techniques constitute ''grave breaches'' of the Geneva Conventions. The United States President should not have the right to unilaterally define the legal boundaries of torture. The United States Congress has ratified universally recognized conventions prohibiting such conduct, and the President should recognize them as the law of the land. Indeed, there is a lesson to be learned in the events of the last 6 years, particularly in the case of Abu Ghraib, when not only was our Nation's reputation tarnished, but our commitment to the rule of law was credibly called into question. This is not the America our Nation's greatest generations have long fought for. Our country would have been better served if we had looked to the pages of history to guide us through this national crisis.

Just 60 years ago, the United States confronted the daunting task of bringing history's most despicable war criminals to justice. In determining how to deal with Nazi leaders guilty of grave atrocities, our country never forgot its pivotal role as the leader of the free world. There were strong and persuasive voices crying for the execution of these men who had commanded, with ruthless efficiency, the slaughter of 6 million innocent Jews and 5 million other innocent men, women, and children. Why should these men who had extinguished so many lives be given a trial at all? Why should they not be subjected to the same fate to which they had subjected countless innocent people? Why not just shoot them, as Winston Churchill wanted? Why not just give in to legal scholars, who said there was no court, no judge, no laws, and no precedent?

Why not? Because, as I have recounted on this floor on several occasions, America has always stood for something more. Our leaders at Nuremberg, including the young prosecutor Thomas Dodd, my father, rejected the certainty of execution for the uncertainty of a trial. In doing so, we reaffirmed the ideal that this Nation should never tailor its eternal principles to the conflict of the moment, because if we did, we would be walking in the footsteps of the enemies we despised.

Almost 60 years to the day after the Nuremberg verdicts, Congress passed the Military Commissions Act, with the support of the administration which steps away from the high principles established at Nuremberg and honored in the decades since. In my view, this law has dishonored our Nation's proud history.

Indeed, to watch the Senate, on the anniversary of Nuremberg, negate these great principles and traditions was one of the saddest days I have seen in a quarter century of service in this body. It pains me to no end to have seen the administration and its allies rush this bill through Congress in the days before an election with hopes of exploiting Americans' fears of a terrorist attack. This administration would have the American people believe that the war on terror requires a choice between protecting America from terrorism and upholding the basic tenets upon which our country was founded—but not both. This canard is untrue and frankly negligent.

I believe that the United States Congress made a crucial mistake. And that is why the final provision in my bill is perhaps the most important one—it will ensure that each of the provisions of the administration's Military Commission Act is quickly reviewed by our Nation's courts, and appropriately evaluated for their constitutionality. I do not pretend to have all the answers regarding the legality and probity of this highly controversial statute. But I believe it is essential for America's security and moral authority to allow those best qualified to make these judgments—members of our esteemed judiciary—to have an opportunity to overturn the most egregious provisions of this Act.

In turn, we in Congress have our own obligation, to work in a bipartisan way to repair the damage that has been done, to protect our international reputation, to preserve our domestic traditions, and to provide a successful mechanism to improve and enhance the tools required by the global war on terror.

I urge my colleagues to consider the consequences if we fail to correct the mistakes that have been made. I hope that Congress and the administration will take a serious look at my proposal and work with me to improve the current system, for the sake of our security, our international standing, and our commitment to the rule of law.

I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection the bill was ordered to be printed in the RECORD, as follows:

S. 4060

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Effective Terrorists Prosecution Act of 2006''.

SEC. 2. DEFINITION OF UNLAWFUL ENEMY COMBATANT.

Paragraph (1) of section 948a of title 10, United States Code (as enacted by the Military Commissions Act of 2006 (Public Law 109–366)), is amended to read as follows:

''(1) UNLAWFUL ENEMY COMBATANT.—The term 'unlawful enemy combatant' means an individual who directly participates in hostilities as part of an armed conflict against the United States who is not a lawful enemy combatant. The term is used solely to designate individuals triable by military commission under this chapter.''.

SEC. 3. DETERMINATION OF UNLAWFUL ENEMY COMBATANT STATUS BY COMBATANT STATUS REVIEW TRIBUNAL NOT DISPOSITIVE FOR PURPOSES OF JURISDICTION OF MILITARY COMMISSIONS.

Section 948d of title 10, United States Code (as enacted by the Military Commissions Act of 2006 (Public Law 109–366)), is amended—

(1) by striking subsection (c); and

(2) by redesignating subsection (d) as subsection (c).

SEC. 4. EXCLUSION FROM TRIAL BY MILITARY COMMISSION OF STATEMENTS OBTAINED BY COERCION.

Section 948r of title 10, United States Code (as enacted by the Military Commissions Act of 2006 (Public Law 109–366)), is amended by striking subsections (c) and (d) and inserting the following new subsection (c):

''(c) EXCLUSION OF STATEMENTS OBTAINED BY COERCION.—A statement obtained by use of coercion shall not be admissible in a military commission under this chapter, except against a person accused of coercion as evidence that the statement was made.''.

SEC. 5. DISCRETION OF MILITARY JUDGE TO EXCLUDE HEARSAY EVIDENCE DETERMINED TO BE UNRELIABLE OR LACKING IN PROBATIVE VALUE.

Section 949a(b)(2)(E)(ii) of title 10, United States Code (as enacted by the Military Commissions Act of 2006 (Public Law 109–366)), is amended by striking ''if the party opposing the admission of the evidence demonstrates that the evidence is unreliable or lacking in probative value'' and inserting ''if the military judge determines, upon motion by counsel, that the evidence is unreliable or lacking in probative value''.

SEC. 6. DISCRETION OF MILITARY JUDGE TO TAKE CERTAIN ACTIONS IN EVENT THAT A SUBSTITUTE FOR CLASSIFIED EXCULPATORY EVIDENCE IS INSUFFICIENT TO PROTECT THE RIGHT OF A DEFENDANT TO A FAIR TRIAL.

Section 949j(d)(1) of title 10, United States Code (as enacted by the Military Commissions Act of 2006 (Public Law 109–366)), is amended by adding at the end the following: ''If the military judge determines that the substitute is not sufficient to protect the right of the defendant to a fair trial, the military judge may—

''(A) dismiss the charges in their entirety;

''(B) dismiss the charges or specifications or both to which the information relates; or

''(C) take such other actions as may be required in the interest of justice.''.

SEC. 7. REVIEW OF MILITARY COMMISSION DECISIONS BY UNITED STATES COURT OF APPEALS FOR THE ARMED FORCES RATHER THAN COURT OF MILITARY COMMISSION REVIEW.

(a) REVIEW.—

(1) IN GENERAL.—Section 950f of title 10, United States Code (as enacted by the Military Commissions Act of 2006 (Public Law 109–366)), is amended to read as follows:

''§ 950f. Review by Court of Appeals for the Armed Forces

''(a) CASES TO BE REVIEWED.—The United States Court of Appeals for the Armed Forces, in accordance with procedures prescribed under regulations of the Secretary, shall review the record in each case that is referred to the Court by the convening authority under section 950c of this title with respect to any matter of law raised by the accused.

''(b) SCOPE OF REVIEW.—In a case reviewed by the United States Court of Appeals for the Armed Forces under this section, the Court may only act with respect to matters of law.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of subchapter VI of chapter 47A of such title (as so enacted) is amended by striking the item relating to section 950f and inserting the following new item:

''950f. Review by Court of Appeals for the Armed Forces.''.

(b) CONFORMING AMENDMENTS.—

(1) IN GENERAL.—Chapter 47A of title 10, United States Code (as so enacted), is further amended as follows:

(A) In section 950c(a), by striking ''the Court of Military Commission Review'' and inserting ''the United States Court of Appeals for the Armed Forces''.

(B) In section 950d, by striking ''the Court of Military Commission Review'' each place it appears and inserting ''the United States Court of Appeals for the Armed Forces''.

(C) In section 950g(a)(2), by striking ''the Court of Military Commission Review'' each place it appears and inserting ''the United States Court of Appeals for the Armed Forces''.

(D) In section 950h, by striking ''the Court of Military Commission Review'' each place it appears and inserting ''the United States Court of Appeals for the Armed Forces''.

(2) UNIFORM CODE OF MILITARY JUSTICE.—Section 867a(a) of title 10, United States Code (article 67a(a) of the Uniform Code of Military Justice), is amended by striking ''Decisions'' and inserting ''Except as provided in sections 950d and 950g of this title, decisions''.

SEC. 8. IMPLEMENTATION OF TREATY OBLIGATIONS.

(a) IN GENERAL.—Section 6(a) of the Military Commissions Act of 2006 (Public Law 109–366) is amended—

(1) in paragraph (2)—

(A) in the first sentence, by inserting after ''international character'' the following: ''and preserve the capacity of the United States to prosecute nationals of enemy powers for engaging in acts against members of the United States Armed Forces and United States citizens that have been prosecuted by the United States as war crimes in the past''; and

(B) by striking the second sentence; and

(2) in paragraph (3)—

(A) in subparagraph (A)—

(i) by striking ''the President has the authority for the United States to interpret the meaning and application of the Geneva Conventions and to promulgate'' and inserting ''the President has the authority, subject to congressional oversight and judicial review, to promulgate''; and

(ii) by striking ''higher standards and'';

(B) in subparagraph (B), by striking ''interpretations'' and inserting ''rules''; and

(C) by amending subparagraph (D) to read as follows:

''(D) The President shall notify other parties to the Geneva Conventions that the United States expects members of the United States Armed Forces and other United States citizens detained in a conflict not of an international character to be treated in a manner consistent with the standards described in subparagraph (A) and embodied in section 2441 of title 18, United States Code, as amended by subsection (b).''.

(b) MODIFICATIONS OF WAR CRIMES OFFENSES.—

(1) INCLUSION OF DENIAL OF TRIAL RIGHTS AMONG OFFENSES.—Paragraph (1) of section 2441(d) of title 18, United States Code (as enacted by the Military Commissions Act of 2006), is amended by adding at the end the following new subparagraph:

''(J) DENIAL OF TRIAL RIGHTS.—The act of a person who intentionally denies one or more persons the right to be tried before a regularly constituted court affording all the judicial guarantees which are recognized as indispensable by civilized peoples as prescribed by common Article 3 of the Geneva Conventions.''.

(2) DEFINITION OF SERIOUS PHYSICAL PAIN OR SUFFERING.—Clause (ii) of subparagraph ((D) of paragraph (2) of such section (as so enacted) is amended to read as follows:

''(ii) serious physical pain;''.

SEC. 9. RESTORATION OF HABEAS CORPUS FOR INDIVIDUALS DETAINED BY THE UNITED STATES.

(a) RESTORATION.—Subsection (e) of section 2241 of title 28, United States Code, as amended by section 7(a) of the Military Commissions Act of 2006 (Public Law 109–366), is repealed.

(b) CONFORMING AMENDMENT.—Subsection (b) of section 7 of the Military Commissions Act of 2006 (Public Law 109–366) is repealed.

SEC. 10. EXPEDITED JUDICIAL REVIEW OF MILITARY COMMISSIONS ACT OF 2006.

Notwithstanding any other provision of law, the following rules shall apply to any civil action, including an action for declaratory judgment, that challenges any provision of the Military Commissions Act of 2006 (Public Law 109–366), or any amendment made by that Act, on the ground that such provision or amendment violates the Constitution or the laws of the United States:

(1) The action shall be filed in the United States District Court for the District of Columbia and shall be heard in that Court by a court of three judges convened pursuant to section 2284 of title 28, United States Code.

(2) An interlocutory or final judgment, decree, or order of the United States District Court for the District of Columbia in an action under paragraph (1) shall be reviewable as a matter of right by direct appeal to the Supreme Court of the United States. Any such appeal shall be taken by a notice of appeal filed within 10 days after the date on which such judgment, decree, or order is entered. The jurisdictional statement with respect to any such appeal shall be filed within 30 days after the date on which such judgment, decree, or order is entered.

(3) It shall be the duty of the United States District Court for the District of Columbia and the Supreme Court of the United States to advance on the docket and to expedite to the greatest possible extent the disposition of any action or appeal, respectively, brought under this section.

SEC. 11. EFFECTIVE DATE.

The amendments made by this Act shall take effect on October 17, 2006, the date of the enactment of the Military Commissions Act of 2006 (Public Law 109–366), immediately after the enactment of that Act and shall apply to all cases, without exception, that are pending on or after such date.

By Mr. DODD:

S. 4061. A bill to create, adopt, and implement rigorous and voluntary American education content standards in mathematics and science covering kindergarten through grade 12, to provide for the assessment of student proficiency bench marked against such standards, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Mr. DODD. Mr. President, I rise today to introduce The Standards to Provide Educational Access for Kids (SPEAK) Act. This bill will create, adopt, and implement voluntary core American education content standards in math and science while incentivizing states to adopt them.

America's leadership, economic, and national security rest on our commitment to educate and prepare our youth to succeed in a global economy. The key to succeeding in this endeavor is to have high expectations for all American students as they progress through our nation's schools.

Currently there are 50 different sets of academic standards, 50 State assessments, and 50 definitions of proficiency under the No Child Left Behind Act. As a result of varied standards, exams and proficiency levels, America's highly mobile student-aged population moves through the nation's schools gaining widely varying levels of knowledge, skills and preparedness. And yet, in order for the United States to compete in a global economy, we must strengthen our educational expectations for *all* American children—we must compete as one Nation.

Recent international comparisons show that American students have significant shortcomings in math and science. Many lack the basic skills required for college or the workplace. This affects our economic and national security: It holds us back in the global marketplace and risks ceding our competitive edge. This is unacceptable.

America was founded on the notion of ensuring equity in opportunity for all. And yet, we risk both when we allow different students in different states to graduate from high school with very different educations. We live

in a Nation with an unacceptably high high school dropout rate. We live in a nation where 8th graders in some states score more than 30 points higher on tests of basic science knowledge than students in other states. I ask my colleagues today what equality of opportunity we have under such circumstances.

This is where American standards come in. Voluntary, core American standards in math and science are the first step in ensuring that all American students are given the same opportunity to learn to a high standard no matter where they reside. They will allow for meaningful comparisons of student academic achievement across states, help ensure that American students are academically qualified to enter college, or training for the civilian or military workforce, and, help ensure that students are better prepared to compete in the global marketplace. Uniform standards are a first step in maintaining America's competitive and national security edge.

While I realize there will be resistance to such efforts, education is after all a state endeavor; we cannot ignore that at the end of the day America competes as one country on the global marketplace. This does not mean that I am asking States to cede their authority in education. What the bill simply proposes is that we the convening power of the federal government to develop standards and then provide states with incentives to adopt them.

At the end of the day, this is a voluntary measure. States will choose whether or not to participate. States that do participate, while required to adopt the American standards, will be given the flexibility to make them their own. They will have the option to add additional content requirements, they will have final say in how coursework is sequenced, and, ultimately, States and districts will still be the ones developing the curriculum, choosing the textbooks and administering the tests. The standards provided for under this legislation will simply serve as a common core.

Here is what the SPEAK Act will do. It will task the National Assessment Governing Board (NAGB) with creating rigorous and voluntary core American education content standards in math and science for grades K–12. It will require that such standards be anchored in the National Assessment of Educational Progress' (NAEP) math and science frameworks. It will ensure that such standards are internationally competitive and comparable to the best standards in the world. It will develop rigorous achievement levels. It will ensure that varying developmental levels of students are taken into account in the development of such standards. It will provide for periodic review and update of such standards. It will allow participating States the flexibility to add additional standards to the core. And, it establishes an American standards Incentive Fund to incentivize states to adopt the standards. Among the benefits of participating is a huge infusion of funds for states to bolster their K–12 data systems.

What I propose today is a first step. A first step in regaining our competitive edge. A first step in ensuring that all American students have the opportunity to receive a first class, high-quality, competitive education. I am hoping that the bill I introduce today will at the very least spark a discussion. A discussion about what it is that we want for future generations and how we will set along the path to get it to them.

I hope that my colleagues will join me in supporting the SPEAK Act and look forward to resuming the discussion and reintroducing this important initiative in the coming Congress.

I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was was ordered to be printed in the RECORD, as follows:

S. 4061

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Standards to Provide Educational Access for Kids Act'' or the ''SPEAK Act''.

SEC. 2. FINDINGS.

Congress finds the following:

(1) Throughout the years, educators and policymakers have consistently embraced standards as the mechanism to ensure that every student, no matter what school the student attends, masters the skills and develops the knowledge needed to participate in a global economy.

(2) Recent international comparisons make clear that students in the United States have significant shortcomings in mathematics and science, yet a high level of scientific and mathematics literacy is essential to societal innovations and advancements.

(3) With more than 50 different sets of academic content standards, 50 State academic assessments, and 50 definitions of proficiency under section 1111(b) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(b)), there is great variability in the measures, standards, and benchmarks for academic achievement in mathematics and science.

(4) Variation in State standards and the accompanying measures of proficiency make it difficult for parents and teachers to meaningfully gauge how well their children are learning mathematics and science in comparison to their peers internationally or here at home.

(5) The disparity in the rigor of standards across States results in test results that tell the public little about how schools are performing and progressing, as States with low standards or low proficiency scores may appear to be doing much better than States with more rigorous standards or higher requirements for proficiency.

(6) As a result, the United States' highly mobile student-aged population moves through the Nation's schools gaining widely varying levels of knowledge, skills, and preparedness.

(7) In order for the United States to compete in a global economy, the country needs to strengthen its educational expectations for all children.

(8) To compete, the people of the United States must compare themselves against international benchmarks.

(9) Grounded in a real world analysis and international comparisons of what students need to succeed in work and college, rigorous and voluntary core American education content standards will keep the United States economically competitive and ensure that the children of the United States are given the same opportunity to learn to a high standard no matter where they reside.

(10) Rigorous and voluntary core American education content standards in mathematics and science will enable students to succeed in academic settings across States while ensuring an American edge in the global marketplace.

SEC. 3. ASSESSING SCIENCE IN THE NATIONAL ASSESSMENT OF EDUCATIONAL PROGRESS.

(a) NATIONAL ASSESSMENT OF EDUCATIONAL PROGRESS AUTHORIZATION ACT.—Section 303 of the National Assessment of Educational Progress Authorization Act (20 U.S.C. 9622) is amended—

(1) in subsection (b)—

(A) in paragraph (2)—

(i) in subparagraph (B), by striking ''reading and mathematics'' and inserting ''reading, mathematics, and science'';

(ii) in subparagraph (C), by striking ''reading and mathematics'' and inserting ''reading, mathematics, and science'';

(iii) in subparagraph (D), by striking ''science,'';

(iv) in subparagraph (E), by striking ''reading and mathematics'' and inserting ''reading, mathematics, and science'';

(B) in paragraph (3)—

(i) in subparagraph (A), by striking ''reading and mathematics'' each place the term occurs and inserting ''reading, mathematics, and science''; and

(ii) in subparagraph (C)(ii), by striking ''reading and mathematics'' and inserting ''reading, mathematics, and science''; and

(C) in paragraph (4)(B), by striking '', require, or influence'' and inserting ''or require''; and

(2) in subsection (d)(3), by striking ''reading and mathematics'' each place the term occurs and inserting ''reading, mathematics, and science''.

(b) ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965.—Subpart 1 of part A of title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311 et seq.) is amended—

(1) in section 1111(c)(2) (20 U.S.C. 6311(c)(2))—

(A) by inserting ''(and, for science, beginning with the 2007–2008 school year)'' after ''2002–2003''; and

(B) by striking ''reading and mathematics'' and inserting ''reading, mathematics, and science''; and

(2) in section 1112(b)(1)(F) (20 U.S.C. 6312(b)(1)(F)), by striking ''reading and mathematics'' and inserting ''reading, mathematics, and science''.

SEC. 4. DEFINITIONS.

Section 304 of the National Assessment of Educational Progress Authorization Act (20 U.S.C. 9623) is amended—

(1) in the matter preceding paragraph (1), by striking ''In this title:'' and inserting ''Except as otherwise provided, in this title:'';

(2) by redesignating paragraph (2) as paragraph (3); and

(3) by inserting after paragraph (1) the following:

''(3) SECRETARY.—The term 'Secretary' means the Secretary of Education.''.

SEC. 5. VOLUNTARY AMERICAN EDUCATION CONTENT STANDARDS; AMERICAN STANDARDS INCENTIVE FUND.

The National Assessment of Educational Progress Authorization Act (20 U.S.C. 9621 et seq.) is amended—

(1) by redesignating sections 304 (as amended by section 4) and 305 as sections 306 and 307, respectively; and

(2) by inserting after section 303 the following:

''SEC. 304. CREATION AND ADOPTION OF VOLUNTARY AMERICAN EDUCATION CONTENT STANDARDS.

''(a) IN GENERAL.—Not later than 3 years after the date of enactment of the Standards to Provide Educational Access for Kids Act and from amounts appropriated under section 307(a)(3) for a fiscal year, the Assessment Board shall create and adopt voluntary American education content standards in mathematics and science covering kindergarten through grade 12.

''(b) DUTIES.—The Assessment Board shall implement subsection (a) by carrying out the following duties:

''(1) Create and adopt voluntary American education content standards for mathematics and science covering kindergarten through grade 12 that reflect a common core of what students in the United States should know and be able to do to compete in a global economy.

''(2) Anchor the voluntary American education content standards based on the mathematics and science frameworks and the achievement levels under section 303(e) of the National Assessment of Educational Progress for grades 4, 8, and 12.

''(3) Ensure that the voluntary American education content standards are internationally competitive and comparable to the best standards in the world.

''(4) Review State standards in mathematics and science as of the date of enactment of the Standards to Provide Educational Access for Kids Act and consult and work with entities that are developing, or have already developed, such State standards.

''(5) Review the reports, views, and analyses of a broad spectrum of experts and the public as such reports, views, and analyses relate to mathematics and science education, including reviews of blue ribbon reports, exemplary practices in the field, and recent reports by government agencies and professional organizations.

''(6) Ensure that the voluntary American education content standards reflect the best thinking about the knowledge, skills, and competencies needed for a high degree of scientific and mathematical understanding.

''(7) Ensure that varying developmental levels of students are taken into account in the development of the voluntary American education content standards.

''(8) Ensure that the voluntary American education content standards reflect what students will be required to know and be able to do after secondary school graduation to be academically qualified to enter an institution of higher education or training for the civilian or military workforce.

''(9) Widely disseminate the voluntary American education content standards for public review and comment before final adoption.

''(10) Provide for continuing review of the voluntary American education content standards not less often than once every 10 years, which review—

''(A) shall solicit input from outside organizations and entities, including—

''(i) 1 or more professional mathematics or science organizations;

''(ii) the State educational agencies that have received American Standards Incentive Fund grants under section 305 during the period covered by the review; and

''(iii) other organizations and entities, as determined appropriate by Assessment Board; and

''(B) shall address issues including—

''(i) whether the voluntary American education content standards continue to reflect international standards of excellence and the latest developments in the fields of mathematics and science; and

''(ii) whether the voluntary American education content standards continue to reflect what students are required to know and be able to do in science and mathematics after graduation from secondary school to be academically qualified to enter an institution of higher education or training for the civilian or military workforce, as of the date of the review.

''SEC. 305. THE AMERICAN STANDARDS INCENTIVE FUND.

''(a) ESTABLISHMENT OF FUND.—From amounts appropriated under section 307(a)(4) for a fiscal year, the Secretary shall establish and fund the American Standards Incentive fund to carry out the grant program under subsection (b).

''(b) INCENTIVE GRANT PROGRAM AUTHORIZED.—

''(1) IN GENERAL.—Not later than 12 months after the Assessment Board adopts the voluntary American education content standards under section 304, the Secretary shall use amounts available from the American Standards Incentive fund to award, on a competitive basis, grants to State educational agencies to enable each State educational agency to adopt the voluntary American education content standards in mathematics and science as the core of the State's academic content standards in mathematics and science by carrying out the activities described in subsection (e).

''(2) DURATION AND AMOUNT.—A grant under this subsection shall be awarded—

''(A) for a period of not more than 4 years; and

''(B) in an amount that is not more than $4,000,000 over the period of the grant.

''(c) CORE STANDARDS.—A State educational agency receiving a grant under subsection (b) shall adopt and use the voluntary American education content standards in mathematics and science as the core of the State academic content standards in mathematics and science. The State educational agency may add additional standards to the voluntary American education content standards as part of the State academic content standards in mathematics and science.

''(d) STATE APPLICATION.—A State educational agency desiring to receive a grant under subsection (b) shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require. The application shall include—

''(1) timelines for carrying out each of the activities described in subsection (e)(1); and

''(2) a description of the activities that the State educational agency will undertake to implement the voluntary American education content standards in mathematics and science adopted under section 304, and the achievement levels in mathematics and science developed under section 303(e) for the national and State assessments of the National Assessment of Educational Progress, at both the State educational agency and local educational agency levels, including any additional activities described in subsection (e)(2).

''(e) USE OF FUNDS.—

''(1) MANDATORY ACTIVITIES.—A State educational agency receiving a grant under subsection (b) shall use grant funds to carry out all of the following:

''(A) Adopt the voluntary American education content standards in mathematics and science as the core of the State's academic content standards in mathematics and science not later than 2 years after the receipt of a grant under this section.

''(B) Align the teacher certification or licensure, pre-service, and professional development requirements of the State to the voluntary American education content standards in mathematics and science not later than 3 years after the receipt of the grant.

''(C) Align the State academic assessments in mathematics and science (or develop new such State academic assessments that are aligned) with the voluntary American education content standards in mathematics and science not later than 4 years after the receipt of the grant.

''(D) Align the State levels of achievement in mathematics and science with the student achievement levels in mathematics and science developed under section 303(e) for the national and State assessments of the National Assessment of Educational Progress.

''(2) PERMISSIVE ACTIVITIES.—A State educational agency receiving a grant under subsection (b) may use the grant funds to carry out, at the local educational agency or State educational agency level, any of the following activities:

''(A) Train teachers and administrators on how to incorporate the voluntary American education content standards in mathematics and science into classroom instruction.

''(B) Develop curricula and instructional materials in mathematics or science that are aligned with the voluntary American education content standards in mathematics and science.

''(C) Develop performance standards in mathematics or science to accompany the voluntary American education content standards in mathematics and science.

''(D) Conduct other activities needed for the implementation of the voluntary American education content standards in mathematics and science.

''(3) PRIORITY.—In awarding grants under this section the Secretary shall give priority to a State educational agency that will use the grant funds to carry out all of the activities described in subparagraphs (A), (B), and (C) of paragraph (2).

''(f) AWARD BASIS.—In determining the amount of a grant under subsection (b), the Secretary shall take into consideration—

''(1) the extent to which a State's academic content standards, State academic assessments, levels of achievement in mathematics and science, and teacher certification or licensure, pre-service, and professional development requirements, must be revised to align such State standards, assessments, levels, and teacher requirements with the voluntary American education content standards adopted under section 304 and the achievement levels in mathematics and science developed under section 303(e); and

''(2) the planned activities described in the application submitted under subsection (d).

''(g) ANNUAL STATE EDUCATIONAL AGENCY REPORTS.—A State educational agency receiving a grant under subsection (b) shall submit an annual report to the Secretary demonstrating the State educational agency's progress in meeting the timelines described in the application under subsection (d)(1).

''(h) GRANTS FOR DOD AND BIA SCHOOLS.—

''(1) DEPARTMENT OF DEFENSE SCHOOLS.—From amounts available from the American Standards Incentive fund, the Secretary, upon application by the Secretary of Defense, may award grants under subsection (b) to the Secretary of Defense on behalf of elementary schools and secondary schools operated by the Department of Defense to enable

the elementary schools and secondary schools to carry out the activities described in subsection (e).

''(2) BUREAU OF INDIAN AFFAIRS SCHOOLS.—From amounts available from the American Standards Incentive fund, the Secretary, in consultation with the Secretary of Interior, may award grants under subsection (b) to the Bureau of Indian Affairs on behalf of elementary schools and secondary schools operated or funded by the Department of the Interior to enable the elementary schools and secondary schools to carry out the activities described in subsection (e).

''(i) STUDY.—Not later than 2 years after the completion of the first 4-year grant cycle for grants under this section, the Commissioner for Education Statistics shall carry out a study comparing the gap between the reported proficiency on State academic assessments and assessments under section 303 for State educational agencies receiving grants under subsection (b), before and after the State adopts the voluntary American education content standards in mathematics and science as the core of the State education content standards in mathematics and science.

''(j) DATA GRANT.—

''(1) PROGRAM AUTHORIZED.—From amounts appropriated under section 305(a)(4), the Secretary shall award, to each State educational agency that meets the requirements of paragraph (3), a grant to be used to enhance State data systems as such systems relate to the requirements under part A of title I of the Elementary and Secondary Education Act of 1965.

''(2) AMOUNT OF GRANT.—A grant awarded to a State educational agency under this subsection shall be in an amount equal to 5 percent of the amount allocated to the State under section 1122 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6332). If the amounts available from the American Standards Incentive fund are insufficient to pay the full amounts of grants under paragraph (1) to all State educational agencies, the Secretary shall ratably reduce the amount of all grants under this subsection.

''(3) REQUIREMENTS.—In order to receive a grant under this subsection, a State educational agency shall—

''(A) have received a grant under subsection (b); and

''(B) successfully demonstrate to the Secretary that the State has aligned—

''(i) the State's academic content standards and State academic assessments in mathematics and science, and the State's teacher certification or licensure, pre-service, and professional development requirements, with the voluntary American education content standards in mathematics and science; and

''(ii) the State levels of achievement in mathematics and science for grades 4, 8, and 12, with the achievement levels in mathematics and science developed under section 303(e) for such grades.

''(4) NATURE OF GRANT.—A grant under this subsection to a State educational agency shall be in addition to any grant awarded to the State educational agency under subsection (b).

''(5) LIMIT ON NUMBER OF GRANTS.—In no case shall a State educational agency receive more than 1 grant under this subsection.

''(k) REPORTS TO CONGRESS.—Not later than 2 years after the date of enactment of the Standards to Provide Educational Access for Kids Act, and every 2 years thereafter, the Secretary shall report to Congress regarding the status of all grants awarded under this section.

''(l) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to establish a preferred national curriculum or preferred teaching methodology for elementary school or secondary school instruction.

''(m) TIMELINE EXTENSION.—The Secretary may extend the 12-year requirement under section 1111(b)(2)(F) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(b)(2)(F)) by not more than 4 years for a State served by a State educational agency that receives a grant under subsection (b).

''(n) DEFINITIONS.—In this section:

''(1) IN GENERAL.—The terms 'elementary school', 'local educational agency', 'professional development', 'secondary school', 'State', and 'State educational agency' have the meanings given the terms in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

''(2) ACADEMIC CONTENT STANDARDS.—The term 'academic content standards' means the challenging academic content standards described in section 1111(b)(1) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(b)(1)).

''(3) LEVELS OF ACHIEVEMENT.—The term 'levels of achievement' means the State levels of achievement under subclauses (II) and (III) of section 1111(b)(1)(D)(ii) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(b)(1)(D)(ii)(II), (III)).

''(4) STATE ACADEMIC ASSESSMENTS.—The term 'State academic assessments' means the academic assessments for a State described in section 1111(b)(3) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(b)(3)).''.

SEC. 6. AUTHORIZATION OF APPROPRIATIONS.

Section 307(a) of the National Assessment of Educational Progress Authorization Act (as redesignated by section 5(1)) (20 U.S.C. 9624(a)) is amended to read as follows:

''(a) IN GENERAL.—There are authorized to be appropriated—

''(1) to carry out section 302, $6,000,000 for fiscal year 2007 and such sums as may be necessary for each succeeding fiscal year;

''(2) to carry out section 303, $200,000,000 for fiscal year 2007 and such sums as may be necessary for each succeeding fiscal year;

''(3) to carry out section 304, $3,000,000 for fiscal year 2007 and such sums as may be necessary for each succeeding fiscal year; and

''(4) to carry out section 305, $400,000,000 for fiscal year 2007 and such sums as may be necessary for each succeeding fiscal year.''.

By Mr. INHOFE:

S. 4062. A bill to freeze non-defense discretionary spending at fiscal year 2007 levels effective in fiscal year 2008; to the Committee on the Budget.

Mr. INHOFE. Mr. President, I am here to work on what should be an area of widespread, bipartisan agreement with the introduction of the Fiscal Responsibility Act of 2006. Many, many people in both parties profess the need to reduce our Government's spending. When I hear individuals waxing poetic about the need for fiscal discipline, I usually offer a simple, one-sentence amendment to restore some discretionary spending discipline, but you should see my friends on the other side of the aisle run for the hills when someone proposes we actually do something about it. When the moment comes to move from mere words to real action on fiscal discipline, over and over I have confronted nearly united opposition to it on the other side of the aisle.

Last year we did make some progress on our shared goal. We actually held last year's non-security discretionary spending down below the rate of inflation. Let me repeat that: We actually held last year's non-security spending, over which we had discretion, down below the rate of inflation.

Again, we are faced with the same task.

The President agrees that we must hold down spending and has proposed to hold down discretionary spending. The Budget Committee agrees we must hold down spending and has proposed to hold down discretionary spending. The American people agree we must hold down spending. Senator DORGAN has said that we need to provide spending cuts in a significant manner. Senator FEINGOLD has said, ''We also need to continue to cut spending in Federal programs. . . .'' Senator LEVIN stated how we need to cut spending when he advocated that ''Discretionary spending . . . [be] frozen for 5 years.'' It seems that both parties agree that we must hold down discretionary spending.

Well, let's hold down discretionary spending.

I will read the one sentence that is really the entirety of this bill. I'm sure everyone in this body is familiar with it now—nearly all of my friends on the other side of the aisle have voted against it twice in the last twelve months, usually at a time when they are promoting fiscal discipline. It says: ''Beginning with fiscal year 2008 and thereafter, all non-defense, non-trostfund, discretionary spending shall not exceed the previous fiscal year's levels without a two-thirds vote.'' This is simply a cap on discretionary spending.

It is very simple, cut and dry, something that can pass. I hope those individuals who have a more complicated approach to this will recognize this is something that is doable.

I want to focus briefly on one point in the President's most recent budget proposal. President Bush wisely sent us a budget that encourages long-term fiscal constraint by including several budget process and program oversight reforms, including setting enforceable limits on total spending to stabilize budget growth in the long-term. Simply put, the President proposes that we put in place a process by which we can control discretionary spending.

I have been working on a solution to the massive problem of government spending with this simple language for quite some time. I have actually wanted to offer it previously on appropriations bills, but held off. I offered it as an amendment last November and again this year in March. It has been defeated every time I offer it—every single time. It's usually defeated by nearly unanimous opposition on the other side of the aisle. And what's more, they usually vote against it in a debate during which they cry foul of deficits and declare the need for fiscal restraint. It's astounding how much rhetoric we hear about the need to hold down spending and the need for fiscal

restraint. I guess for some, it truly is much easier said than done.

So, I am offering it again.

I will restate the crux of this bill, the Fiscal Responsibility Act of 2006, one more time before I close: ''Beginning with fiscal year 2008 and thereafter, all non-defense, non-trust-fund, discretionary spending shall not exceed the previous fiscal year's levels without a two-thirds vote.'' Folks, it's that easy. I ask that you join me in holding down spending.

I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 4062

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Fiscal Responsibility Act of 2006''.

SEC. 2. CONGRESSIONAL ENFORCEMENT.

(a) ENFORCEMENT.—Section 312 of the Congressional Budget Act of 1974 (2 U.S.C. 643) is amended by adding at the end the following:

''(g) EXCESS NON-DEFENSE DISCRETIONARY FEDERAL SPENDING REDUCTION POINT OF ORDER.—

''(1) IN GENERAL.—It shall not be in order in the House of Representatives or the Senate to consider any bill or resolution (or amendment, motion, or conference report on that bill or resolution) that would cause spending for non-defense, non-trust-fund, discretionary spending for the budget year to exceed the amount of spending for such activities in fiscal year 2007.

''(2) ALLOCATIONS.—The allocations under section 302(a) shall include allocations for the amount described in paragraph (1).

''(3) SUPER MAJORITY WAIVER OR APPEAL.—This subsection may be waived or suspended in the Senate only by an affirmative vote of two-thirds of the Members, duly chosen and sworn. An affirmative vote of two-thirds of the Members of the Senate, duly chosen and sworn, shall be required in the Senate to sustain an appeal of the ruling of the Chair on a point of order raised under this subsection.''.

(b) EFFECTIVE DATE.—This section shall apply beginning with fiscal year 2008.

By Mr. FEINGOLD:

S. 4063. A bill to provide for additional section 8 vouchers, to reauthorize the Public and Assisted Housing Drug Elimination Program, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

Mr. FEINGOLD. Mr. President, today I am introducing the Affordable Housing Expansion and Public Safety Act to address some of the housing affordability issues faced by my constituents and by Americans around the country, including unaffordable rental burdens, lack of safe and affordable housing stock, and public safety concerns in public and federally assisted housing. My legislation is fully offset, while also providing over $3 billion in deficit reduction.

Increasing numbers of Americans are facing housing affordability challenges, whether they are renters or homeowners. But the housing affordability burden falls most heavily on low-income renters throughout our country. Ensuring that all Americans have safe and secure housing is about more than just providing families with somewhere to live, however. Safe and decent housing provides children with stable environments, and research has shown that students achieve at higher rates if they have secure housing. Affordable housing allows families to spend more of their income on life's other necessities including groceries, health care, and education costs as well as save money for their futures. I have heard from a number of Wisconsinites around my State about their concerns about the lack of affordable housing, homelessness, and the increasingly severe cost burdens that families have to undertake in order to afford housing.

Unfortunately, affordable housing is becoming less, not more, available in the United States. Research shows that the number of families facing severe housing cost burdens grew by almost two million households between 2001 and 2004. Additionally, one in three families spends more than thirty percent of their earnings on housing costs. The National Alliance to End Homelessness reports that at least 500,000 Americans are homeless every day and two million to three million Americans are homeless for various lengths of time each year. Cities, towns, and rural communities across the country are confronting a lack of affordable housing for their citizens. This is not an issue that confronts just one region of the Nation or one group of Americans. Decent and affordable housing is so essential to the well-being of Americans that the Federal Government must provide adequate assistance to our citizens to ensure that all Americans can afford to live in safe and affordable housing.

Congress has created effective affordable housing and community development programs, but as is the case with many of the Federal social programs, these housing programs are inadequately funded and do not meet the need in our communities. We in Congress must do what we can to ensure these programs are properly funded, while taking into account the tight fiscal constraints we are facing.

The Section 8 Housing Choice Voucher Program, originally created in 1974, is now the largest Federal housing program in terms of HUD's budget with approximately two million vouchers currently authorized. Yet the current number of vouchers does not come close to meeting the demand that exists in communities around our country. In my State of Wisconsin, the city of Milwaukee opened up their Section 8 waiting list for the first time since 1999 earlier this year for twenty four hours and received more than 17,000 applications. The city of Madison has not accepted new applications for Section 8 in over three years and reports that hundreds of families are on the waiting list.

Unfortunately, situations like this exist around the country. According to the 2005 U.S. Conference of Mayors Hunger and Homelessness Survey, close to 5,000 people are on the Section 8 waiting list in Boston. Detroit has not taken applications for the past two years and currently has a waiting list of over 9,000 people. Phoenix closed its waiting list in 2005 and reported that 30,000 families were on its waiting list. In certain cities, waiting lists are years long and according to the Center on Budget and Policy Priorities, the typical waiting period for a voucher was two and a half years in 2003. Given these statistics, it is clear there is the need for more Section 8 vouchers than currently exist.

While there are certainly areas of the Section 8 program that need to be examined and perhaps reformed, a number of different government agencies and advocacy organizations all cite the effectiveness of Section 8 in assisting low-income families in meeting some of their housing needs. In 2002, the Government Accountability Office determined that the total cost of a one-bedroom housing unit through the Section 8 program costs less than it would through other federal housing programs. The same year, the Bipartisan Millennial Housing Commission reported to Congress that the Section 8 program is ''flexible, cost-effective, and successful in its mission.''

The Commission further stated that the vouchers ''should continue to be the linchpin of a national policy providing very low-income renters access to the privately owned housing stock.'' The Commission also called for funding for substantial annual increments of vouchers for families who need housing assistance. This recommendation echoes the calls by advocates around the country, many of whom have called for 100,000 new, or incremental, Section 8 vouchers to be funded annually by Congress.

My bill takes this first step, calling for the funding of 100,000 incremental vouchers in fiscal year 2007. I have identified enough funds in my offsets to provide money for the renewal of these 100,000 vouchers for the next decade. While this increase does not meet the total demand that exists out there for Section 8 vouchers, I believe it is a strong first step. My legislation is fully offset and if it were passed in its current form, would provide for the immediate funding of these vouchers. I believe Congress should take the time to examine where other spending could be cut in order to continue to provide sizeable annual increases in new vouchers for the Section 8 program. According to the Congressional Research Service, incremental vouchers have not been funded since fiscal year 2002. During the past three to four years, the need for Federal housing assistance has grown and it will continue to grow in future years. We need to make a commitment to find the resources in our budget to ensure continued and increased funding for Section 8 vouchers.

We should examine doing more than just providing more money for Section 8. There have been numerous stories in my home State of Wisconsin about various concerns with the Section 8 program, ranging from potential discrimination on the part of landlords in declining to rent to Section 8 voucher holders to the administrative burdens landlords face when participating in the Section 8 program. Additionally, there are substantial concerns with the funding formula the Bush Administration is currently using for the Section 8 program. I look forward to working with my colleagues in the 110th Congress to address these and other issues and make the Section 8 program more effective, more secure, and more accessible to citizens throughout the country.

But providing rental assistance is not the only answer to solving the housing affordability problem in our country. We must also work to increase the availability of affordable housing stock in our communities through facilitating production of housing units affordable to extremely low and very low income Americans. The HOME Investments Partnership Program, more commonly known as HOME, was created in 1990 to assist states and local communities in producing affordable housing for low income families. HOME is a grant program that allows participating jurisdictions the flexibility to use funds for new production, preservation, and rehabilitation of existing housing stock. HOME is an effective federal program that is used in concert with other existing housing programs to provide affordable housing units for low income Americans throughout the country.

According to recent data from HUD, since fiscal year 1992, over $23 billion has been allocated through the HOME program to participating jurisdictions around the country. There have been over 800,000 units committed, including over 200,000 new construction units. HUD reports that over 700,000 units have been completed or funded. Communities in my State of Wisconsin have received over $370 million since 1992 and have seen over 20,000 housing units completed since 1992. Cities and States around the country are able to report numerous success stories in part due to the HOME funding that has been allocated to participating jurisdictions since 1992. The Bipartisan Millennial Housing Commission found that the HOME program is highly successful and recommended a substantial increase in funding for HOME in 2002.

Unfortunately, for the past two fiscal years, the HOME program has seen a decline in funding. In fiscal year 2005, HOME was funded at $1.9 billion and in fiscal year 2006, HOME was funded at a little more than $1.7 billion. As a result of this decline in funding, all participating jurisdictions in Wisconsin saw a decline in HOME dollars, with some jurisdictions seeing a decline of more than six percent. We need to ensure these funding cuts to HOME do not continue in the future and we must provide more targeted resources within HOME for the people most in need.

But Mr. President, as successful as the HOME program is, more needs to be done to assist extremely low income families. My legislation seeks to target additional resources to the Americans most in need by using the HOME structure to distribute new funding to participating jurisdictions with the requirement that these participating jurisdictions use these set-aside dollars to produce, rehab, or preserve affordable housing for extremely low income families, or people at 30 percent of area median income or below.

As we all know, extremely low income households face the most severe affordable housing cost burdens of any Americans. According to data from HUD and the American Housing Survey, 56 percent of extremely low income renter households deal with severe affordability housing issues while only 25 percent of these renters are not burdened with affordability concerns. HUD also found that half of all extremely low income owner households are severely burdened by affordability concerns. Data shows more than 75 percent of renter households with severe housing affordability burdens are extremely low income families and more than half of extremely low income households pay at least half of their income on housing. The Bipartisan Millennial Housing Commission has stated that ''the most serious housing problem in America is the mismatch between the number of extremely low income renter households and the number of units available to them with acceptable quality and affordable rents.'' The Commission also noted that there is no federal program solely for the preservation or production of housing for extremely low or moderate income families.

Because of these severe burdens and the high cost of providing safe and affordable housing to families at 30 percent or below of area median income, my bill would provide $400 million annually on top of the money that Congress already appropriates through HOME. I have heard from a number of housing advocates in Wisconsin that we have effective housing programs but the programs are not funded adequately. This is why I decided to administer this funding through the HOME program; local communities are familiar with the requirements and regulations of the HOME program and I think it is important not to place unnecessary and new administrative hurdles on local cities and communities.

Participating jurisdictions will be able to use this new funding under the eligible uses currently allowed by HOME to best meet the needs of the extremely low income families in their respective communities. But participating jurisdictions must certify that this funding is going to extremely low income households and must report on how the funds are being utilized in their communities. Funds are intended to be distributed on a pro-rata basis to ensure participating jurisdictions around the country receive funding. I also require that the Secretary notify participating jurisdictions that this new funding for extremely low income households in no way excuses such jurisdictions from continuing to use existing HOME dollars to serve extremely low income families. It is my hope that this extra funding will provide an increased incentive to local cities and communities to dedicate more resources to producing and preserving affordable housing for the most vulnerable Americans.

My bill would also reauthorize a critical crime-fighting grant program: the Public and Assisted Housing Crime and Drug Elimination Program, formerly known as ''PHDEP.'' Unfortunately, the PHDEP program has not been funded since 2001, and its statutory authorization expired in 2003. It is time to bring back this important grant program, which provided much-needed public safety resources to public housing authorities and their tenants. My legislation would authorize $200 million per year for five years for this program.

After more than a decade of declining crime rates, new FBI statistics indicate that 2005 brought an overall increase in violent crime across the country, and particularly in the Midwest. Nationwide, violent crime increased 2.3 percent between 2004 and 2005, and in the Midwest, violent crime increased 5.6 percent between 2004 and 2005. Housing authorities and others providing assisted housing are feeling the effects of this shift, but just as the crime rate is rising, their resources to fight back are dwindling. We need to provide them with funding targeted at preventing and reducing violent and drug-related crime, so that they can provide a safe living environment for their tenants.

Reauthorizing the Public and Assisted Housing Crime and Drug Elimination Program should not be controversial. The program has long enjoyed bipartisan support. It was first sponsored by Senator LAUTENBERG in 1988, and first implemented in 1989 under then-Housing and Urban Development Secretary Jack Kemp. When in effect, it funded numerous crime-fighting measures in housing authorities all over the country.

In Milwaukee, grants under this program funded a variety of important programs. It provided funding to the Housing Authority of the City of Milwaukee to hire public safety officers who are on site 24 hours a day to respond to calls and intervene when problems arise, and who work collaboratively with local law enforcement agencies. According to the Housing Authority, by the time the PHDEP program was defunded, public safety officers were responding to more than 8,000 calls per year, dealing quickly and effectively with thefts, drug use and

sales, and other problems. Grants under the program also allowed the Housing Authority in Milwaukee to conduct crime prevention programs through the Boys and Girls Club of Greater Milwaukee and other on-site agencies, providing youths and others living in public housing with a variety of educational, job training and life skill programs.

When the PHDEP program was defunded during the fiscal year 2002 budget cycle, the Administration argued that crime-fighting measures should be funded through the Public Housing Operating Fund and promised an increase in that Fund to account for part of the loss of PHDEP funds. That allowed some programs previously funded under PHDEP to continue for a few years. But now there is a significant shortfall in the Operating Fund and HUD is proposing limits on how capital funds can be used, and housing authorities nationwide—including in Milwaukee—have been faced with tough decisions, including cutting some or all of their crime reduction programs.

It is time for Congress to step in and reauthorize these grants. Everyone deserves a safe place to live, and we should help provide housing authorities and other federally assisted low-income housing entities with the resources they need to provide that to their tenants.

But we can do more than just provide public housing authorities with grant money. The Federal government also needs to provide more resources to help housing authorities spend those funds in the most effective way possible. That is why my legislation also contains several provisions to enhance the effectiveness of this grant program. It would: Require HUD's Office of Policy Development & Research (PD&R) to conduct a review of existing research on crime fighting measures and issue a report within six months identifying effective programs, providing an important resource to public housing authorities; require PD&R to work with housing authorities, social scientists and others to develop and implement a plan to conduct rigorous scientific evaluation of crime reduction and prevention strategies funded by the grant program that have not previously been subject to that type of evaluation, giving housing authorities yet another source of information about effective strategies for combating crime; and require HUD to report to Congress within four years, based on what it learns from existing research and evaluations of grantee programs, on the most effective ways to prevent and reduce crime in public and assisted housing environments, the ways in which it has provided related guidance to help grant applicants, and any suggestions for improving the effectiveness of the program going forward.

As with any grant program, it is essential that HUD monitor the use of the grants and that grantees be required to report regularly on their activities, as was required by HUD regulations when the program was defunded. The bill also clarifies the types of activities that can be funded through the grant program to ensure that funds are not used inappropriately.

My bill also includes a sense of the Senate provision calling on Congress to create a National Affordable Housing Trust Fund. At the outset, I want to commend my colleagues in the Senate, Senator KERRY, Senator REED, and others for all their work on advancing the cause of a National Affordable Housing Trust fund. I look forward to working with them and others in the 110th to push for the creation of such a trust fund.

I agree with my colleagues that such a trust fund should have the goal of supplying 1,500,000 new affordable housing units over the next 10 years. It should also contain sufficient income targeting to reflect the housing affordability burdens faced by extremely low income and very low income families and contain enough flexibility to allow local communities to produce, preserve, and rehabilitate affordable housing units while ensuring that such affordable housing development fosters the creation of healthy and sustainable communities.

Hundreds of local housing trust funds have been created in cities and states throughout the country, including recently in the city of Milwaukee. I want to commend the community members in Milwaukee for working to address the housing affordability issues that the city faces and it is my hope that we in Congress can do our part to help Wisconsin's communities and communities around the country provide safe and affordable housing to all Americans.

This bill is the third of four proposals I am introducing this year to address some of the domestic issues that have been raised with me over the years by my constituents, some of them at the listening sessions I hold annually in each of Wisconsin's 72 counties. Previous proposals addressed health care reform and the trade deficit.

This Nation faces a severe shortage of affordable housing for our most vulnerable citizens. Shelter is one of our most basic needs, and, unfortunately, too many Wisconsinites and people around the country are struggling to afford a place to live for themselves and their families. This legislation does not solve all the affordable housing issues that communities are facing, but I believe it is a good first step. This issue is about more than providing a roof over a family's head, however. Good housing and healthy communities lead to better jobs, better educational outcomes, and better futures for all Americans. Local communities, States, and the Federal Government must work together to dedicate more effective resources toward ensuring that all Americans have a safe and decent place to live. I look forward to working with my colleagues in the next Congress to advance my bill and other housing initiatives and work towards meeting the goal of affordable housing and healthy communities for all Americans.

I ask unanimous consent that the text of my bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 4063

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Affordable Housing Expansion and Public Safety Act''.

SEC. 2. INCREASE IN INCREMENTAL SECTION 8 VOUCHERS.

(a) IN GENERAL.—In fiscal year 2007 and subject to renewal, the Secretary of Housing and Urban Development shall provide an additional 100,000 incremental vouchers for tenant-based rental housing assistance under section 8(o) of the United States Housing Act of 1937 (42 U.S.C. 1437f(o)).

(b) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There are authorized to be appropriated $8,400,000,000 for the provision and renewal of the vouchers described in subsection (a).

(2) AVAILABILITY.—Any amount appropriated under paragraph (1) shall remain available until expended.

(3) CARRYOVER.—To the extent that any amounts appropriated for any fiscal are not expended by the Secretary of Housing and Urban Development in such fiscal year for purposes of subsection (a), any remaining amounts shall be carried forward for use by the Secretary to renew the vouchers described in subsection (a) in subsequent years.

(c) DISTRIBUTION OF AMOUNTS.—

(1) ADMINISTRATIVE COSTS.—The Secretary may not use more than $800,000,000 of the amounts authorized under paragraph (1) to cover the administrative costs associated with the provision and renewal of the vouchers described in subsection (a).

(2) VOUCHER COSTS.—The Secretary shall use all remaining amounts authorized under paragraph (1) to cover the costs of providing and renewing the vouchers described in subsection (a).

SEC. 3. TARGETED EXPANSION OF HOME INVESTMENT PARTNERSHIP (HOME) PROGRAM.

(a) PURPOSE.—The purposes of this section are as follows:

(1) To authorize additional funding under subtitle A of title II of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12741 et seq.), commonly referred to as the Home Investments Partnership (''HOME'') program, to provide dedicated funding for the expansion and preservation of housing for extremely low-income individuals and families through eligible uses of investment as defined in paragraphs (1) and (3) of section 212(a) of the Cranston-Gonzalez National Affordable Housing Act.

(2) Such additional funding is intended to supplement the HOME funds already allocated to a participating jurisdiction to provide additional assistance in targeting resources to extremely low-income individuals and families.

(3) Such additional funding is not intended to be the only source of assistance for extremely low-income individuals and families under the HOME program, and participating jurisdictions shall continue to use non-set aside HOME funds to provide assistance to

such extremely low-income individuals and families.

(b) SET ASIDE FOR EXTREMELY LOW-INCOME INDIVIDUALS AND FAMILIES.—

(1) ELIGIBLE USE.—Section 212(a) of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12742(a)) is amended by adding at the end the following:

''(6) EXTREMELY LOW-INCOME INDIVIDUALS AND FAMILIES.—

''(A) IN GENERAL.—Each participating jurisdiction shall use funds provided under this subtitle to provide affordable housing to individuals and families whose incomes do not exceed 30 percent of median family income for that jurisdiction.

''(B) EXCEPTION.—If a participating jurisdiction can certify to the Secretary that such participating jurisdiction has met in its jurisdiction the housing needs of extremely low-income individuals and families described in subparagraph (A), such participating jurisdiction may use any remaining funds provided under this subtitle for purposes of subparagraph (A) to provide affordable housing to individuals and families whose incomes do not exceed 50 percent of median family income for that jurisdiction.

''(C) RULE OF CONSTRUCTION.—The Secretary shall notify each participating jurisdiction receiving funds for purposes of this paragraph that use of such funds, as required under subparagraph (A), does not exempt or prevent that participating jurisdiction from using any other funds awarded under this subtitle to provide affordable housing to extremely low-income individuals and families.

''(D) RENTAL HOUSING.—Notwithstanding section 215(a), housing that is for rental shall qualify as affordable housing under this paragraph only if such housing is occupied by extremely low-income individuals or families who pay as a contribution toward rent (excluding any Federal or State rental subsidy provided on behalf of the individual or family) not more than 30 percent of the monthly adjusted income of such individual or family, as determined by the Secretary.''.

(2) PRO RATA DISTRIBUTION.—Section 217 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12747) is amended by adding at the end the following:

''(e) PRO RATA DISTRIBUTION FOR EXTREMELY LOW-INCOME INDIVIDUALS AND FAMILIES.—Notwithstanding any other provision of this Act, in any fiscal year the Secretary shall allocate any funds specifically approved in an appropriations Act to provide affordable housing to extremely low-income individuals or families under section 212(a)(6), such funds shall be allocated to each participating jurisdiction in an amount which bears the same ratio to such amount as the amount such participating jurisdiction receives for such fiscal year under this subtitle, not including any amounts allocated for any additional set-asides specified in such appropriations Act for that fiscal year.''.

(3) CERTIFICATION.—Section 226 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12756) is amended by adding at the end the following:

''(d) CERTIFICATION.—

''(1) IN GENERAL.—Each participating jurisdiction shall certify on annual basis to the Secretary that any funds used to provide affordable housing to extremely low-income individuals or families under section 212(a)(6) were actually used to assist such families.

''(2) CONTENT OF CERTIFICATION.—Each certification required under paragraph (1) shall—

''(A) state the number of extremely low-income individuals and families assisted in the previous 12 months;

''(B) separate such extremely low-income individuals and families into those individuals and families who were assisted by—

''(i) funds set aside specifically for such individuals and families under section 212(a)(6); and

''(ii) any other funds awarded under this subtitle; and

''(C) describe the type of activities, including new construction, preservation, and rehabilitation of housing, provided to such extremely low-income individuals and families that were supported by—

''(i) funds set aside specifically for such individuals and families under section 212(a)(6); and

''(ii) any other funds awarded under this subtitle.

''(3) INCLUSION WITH PERFORMANCE REPORT.—The certification required under paragraph (1) shall be included in the jurisdiction's annual performance report submitted to the Secretary under section 108(a) and made available to the public.''.

(c) AUTHORIZATION OF APPROPRIATIONS.—In addition to any other amounts authorized to be appropriated under any other law or appropriations Act to carry out the provisions of title II of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12701 et. seq), there are authorized to be appropriated to carry out the provisions of this section $400,000,000 for each of fiscal years 2007 through 2011.

SEC. 4. PUBLIC AND ASSISTED HOUSING CRIME AND DRUG ELIMINATION PROGRAM.

(a) TITLE CHANGE.—The chapter heading of chapter 2 of subtitle C of title V of the Anti-Drug Abuse Act of 1988 (42 U.S.C. 11901 et seq.) is amended to read as follows:

''CHAPTER 2—PUBLIC AND ASSISTED HOUSING CRIME AND DRUG ELIMINATION PROGRAM''.

(b) AUTHORIZATION OF APPROPRIATIONS.—

(1) AMOUNTS AUTHORIZED.—Section 5129(a) of the Anti-Drug Abuse Act of 1988 (42 U.S.C. 11908(a)) is amended to read as follows:

''(a) IN GENERAL.—There are authorized to be appropriated to carry out this chapter $200,000,000 for each of fiscal years 2007, 2008, 2009, 2010, and 2011.''.

(2) SET ASIDE FOR THE OFFICE OF POLICY DEVELOPMENT AND RESEARCH.—Section 5129 of the Anti-Drug Abuse Act of 1988 (42 U.S.C. 11908) is amended by adding at the end the following:

''(d) SET ASIDE FOR THE OFFICE OF POLICY DEVELOPMENT AND RESEARCH.—Of any amounts made available in any fiscal year to carry out this chapter not less than 2 percent shall be available to the Office of Policy Development and Research to carry out the functions required under section 5130.''.

(c) ELIGIBLE ACTIVITIES.—Section 5124(a)(6) of the Anti-Drug Abuse Act of 1988 (42 U.S.C. 11903(a)(6)) is amended by striking the semicolon and inserting the following: '', except that the activities conducted under any such program and paid for, in whole or in part, with grant funds awarded under this chapter may only include—

''(A) providing access to treatment for drug abuse through rehabilitation or relapse prevention;

''(B) providing education about the dangers and adverse consequences of drug use or violent crime;

''(C) assisting drug users in discontinuing their drug use through an education program, and, if appropriate, referring such users to a drug treatment program;

''(D) providing after school activities for youths for the purpose of discouraging, reducing, or eliminating drug use or violent crime by youths;

''(E) providing capital improvements for the purpose of discouraging, reducing, or eliminating drug use or violent crime; and

''(F) providing security services for the purpose of discouraging, reducing, or eliminating drug use or violent crime.''.

(d) EFFECTIVENESS.—

(1) APPLICATION PLAN.—Section 5125(a) of the Anti-Drug Abuse Act of 1988 (42 U.S.C. 11904(a)) is amended by adding at the end the following: ''To the maximum extent feasible, each plan submitted under this section shall be developed in coordination with relevant local law enforcement agencies and other local entities involved in crime prevention and reduction. Such plan also shall include an agreement to work cooperatively with the Office of Policy Development and Research in its efforts to carry out the functions required under section 5130.''

(2) HUD REPORT.—Section 5127 of the Anti-Drug Abuse Act of 1988 (42 U.S.C. 11906) is amended by adding at the end the following:

''(d) EFFECTIVENESS REPORT.—The Secretary shall submit a report to the Congress not later than 4 years after the date of the enactment of the Affordable Housing Expansion and Public Safety Act that includes—

''(1) aggregate data regarding the categories of program activities that have been funded by grants under this chapter;

''(2) promising strategies related to preventing and reducing violent and drug-related crime in public and federally assisted low-income housing derived from—

''(A) a review of existing research; and

''(B) evaluations of programs funded by grants under this chapter that were conducted by the Office of Policy Development and Review or by the grantees themselves;

''(3) how the information gathered in paragraph (2) has been incorporated into—

''(A) the guidance provided to applicants under this chapter; and

''(B) the implementing regulations under this chapter; and

''(4) any statutory changes that the Secretary would recommend to help make grants awarded under this chapter more effective.''.

(3) OFFICE OF POLICY DEVELOPMENT AND RESEARCH REVIEW AND PLAN.—Chapter 2 of subtitle C of title V of the Anti-Drug Abuse Act of 1988 (42 U.S.C. 11901 et seq.) is amended by adding at the end the following:

''SEC. 5130. OFFICE OF POLICY DEVELOPMENT AND RESEARCH REVIEW AND PLAN.

''(a) REVIEW.—

''(1) IN GENERAL.—The Office of Policy Development and Research established pursuant to section 501 of the Housing and Urban Development Act of 1970 (12 U.S.C. 1701z–1) shall conduct a review of existing research relating to preventing and reducing violent and drug-related crime to assess, using scientifically rigorous and acceptable methods, which strategies—

''(A) have been found to be effective in preventing and reducing violent and drug-related crimes; and

''(B) would be likely to be effective in preventing and reducing violent and drug-related crimes in public and federally assisted low-income housing environments.

''(2) REPORT.—Not later than 180 days after the date of enactment of the Affordable Housing Expansion and Public Safety Act, the Secretary shall issue a written report with the results of the review required under paragraph (1).

''(b) EVALUATION PLAN.—

''(1) IN GENERAL.—Upon completion of the review required under subsection (a)(1), the Office of Policy Development and Research, in consultation with housing authorities, social scientists, and other interested parties, shall develop and implement a plan for evaluating the effectiveness of strategies funded under this chapter, including new and innovative strategies and existing strategies,

that have not previously been subject to rigorous evaluation methodologies.

''(2) METHODOLOGY.—The plan described in paragraph (1) shall require such evaluations to use rigorous methodologies, particularly random assignment (where practicable), that are capable of producing scientifically valid knowledge regarding which program activities are effective in preventing and reducing violent and drug-related crime in public and other federally assisted low-income housing.''.

SEC. 5. SENSE OF THE SENATE REGARDING THE CREATION OF A NATIONAL AFFORDABLE HOUSING TRUST FUND.

(a) FINDINGS.—Congress finds the following:

(1) Only 1 in 4 eligible households receives Federal rental assistance.

(2) The number of families facing severe housing cost burdens grew by almost 2,000,0000 households between 2001 and 2004.

(3) 1 in 3 families spend more than 30 percent of their earnings on housing costs.

(4) More than 75 percent of renter households with severe housing affordability burdens are extremely low-income families.

(5) More than half of extremely low-income households pay at least half of their income on housing.

(6) At least 500,000 Americans are homeless every day.

(7) 2,000,000 to 3,000,0000 Americans are homeless for various lengths of time each year.

(8) It is estimated that the development of an average housing unit creates on average more than 3 jobs and the development of an average multifamily unit creates on average more than 1 job.

(9) It is estimated that over $80,000 is produced in government revenue for an average single family unit built and over $30,000 is produced in government revenue for an average multifamily unit built.

(10) The Bipartisan Millennial Housing Commission stated that ''the most serious housing problem in America is the mismatch between the number of extremely low income renter households and the number of units available to them with acceptable quality and affordable rents.''.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that—

(1) Congress shall create a national affordable housing trust fund with the purpose of supplying 1,500,000 additional affordable housing units over the next 10 years;

(2) such a trust fund shall contain sufficient income targeting to reflect the housing affordability burdens faced by extremely low-income and very low-income families; and

(3) such a trust fund shall contain enough flexibility to allow local communities to produce, preserve, and rehabilitate affordable housing units while ensuring that such affordable housing development fosters the creation of healthy and sustainable communities.

SEC. 6. OFFSETS.

(a) REPEAL OF MULTIYEAR PROCUREMENT AUTHORITY FOR F–22A RAPTOR FIGHTER AIRCRAFT.—Effective as of October 17, 2006, section 134 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364), relating to multiyear procurement authority for F–22A Raptor fighter aircraft, is repealed.

(b) ADVANCED RESEARCH FOR FOSSIL FUELS.—Notwithstanding any other provision of law, the Secretary of Energy shall not carry out any program that conducts, or provides assistance for, applied research for fossil fuels.

(c) TERMINATION OF ADVANCED TECHNOLOGY PROGRAM.—Notwithstanding any other provision of law, the Secretary of Commerce may not award any new grants under the Advanced Technology Program, provided for under section 28 of the National Institute of Standards and Technology Act (15 U.S.C. 278n), effective October 1, 2006.

By Mr. CRAPO:

S. 4064. A bill to improve the amendments made by the No Child Left Behind Act of 2001; to the Committee on Health, Education, Labor, and Pensions.

Mr. CRAPO. Mr. President, today I introduce the Improving No Child Left Behind—INCLB—Act. As a father and a legislator, I am committed to advocating for public education in Idaho and throughout the Nation. Ensuring that every child receives a good education is one of my top priorities. President Bush's sweeping education reforms included in the No Child Left Behind Act have had measurable positive effects on many students across the country, and I support the law's objective of ensuring that every child achieves his or her potential.

However, given time to observe the implementation of the law, it is now appropriate to review opportunities for needed improvements to the underlying program. After conferring with a number of organizations in Idaho and at the national level, I have identified implementation concerns that seem common to various stakeholder groups. In response, I have created the Improving No Child Left Behind Act. This bill contains a number of workable, commonsense modifications to the law. These provisions preserve the major focus on student achievement and accountability and, at the same time, ensure that schools and school districts are accurately and fairly assessed. The act ensures that local schools and districts have more flexibility and control in educating our Nation's children. The goal of the act is expressed in its name: to improve No Child Left Behind.

The bill does a number of things: INCLB would allow supplemental services like tutoring to be offered to students sooner than they are currently available; INCLB would provide flexibility for States to use additional types of assessment models for measuring student progress; INCLB grants States more flexibility in assessing students with disabilities; INCLB would ensure more fair and accurate assessments of Limited English Proficiency—LEP—students; INCLB would create a student testing participation range, providing flexibility for uncontrollable variations in student attendance; INCLB would allow schools to target resources to those student populations who need the most attention by applying sanctions only when the same student group fails to make adequate progress in the same subject for two consecutive years; and INCLB would ensure that students are counted properly and accurately in assessment and reporting systems.

Taken together, these provisions reflect a realistic assessment of both the strengths and weaknesses of No Child Left Behind. While there may be many issues that divide us, our responsibility in education is clear. We must promote successful, meaningful public education for our children. The INCLB Act will ensure that INCLB continues to be an avenue to success for educators and students throughout Idaho and the Nation.

By Mrs. CLINTON:

S. 4065. A bill to direct the Attorney General to conduct a study on the feasibility of collecting crime data relating to the occurrence of school-related crime in elementary schools and secondary schools; to the Committee on the Judiciary.

Mrs. CLINTON. Mr. President, I rise today to introduce the Accurate Crime Trends for School Act, a bill that is critical in protecting our children from crimes within their schools.

Each day, parents send their children off to school with a sense of security that they are spending their day in a classroom free from danger. The latest outbreaks of school violence and crimes are a clear reminder that this is not always the case. While the majority of our schools are safe, some parents send their children off to school only to find that their child has become the victim of a crime.

The No Child Left Behind Act requires States and local educational agencies to publicly report criminal activity in our schools, based on their own reports and best-guess surveys. However, there is no Federal crime reporting and tracking system for K–12 schools in the United States.

I strongly believe that accurate data on the crimes occurring in our schools will help us develop preventative measures and effectively address crimes occurring in our nation's classrooms.

My bill, the Accurate Crime Trends (''ACT'') for Schools Act, directs the Attorney General, in consultation with the FBI and the International Association of Chiefs of Police, to determine the feasibility of expanding the National Incidents Based Reporting System (''NIBRS'') to include information on K–12 school-related crime. NIBRS is the FBI's comprehensive, detailed crime reporting system. It provides a greater capability of reporting the details of crimes than self-reporting or surveys do.

I want it to be clear that expanding NIBRS would not create a new level of bureaucracy. This bill would neither bring the FBI into our schools, nor place any new requirements or new burdens upon educators. Expanding NIBRS would use existing crime reporting infrastructures to collect specific K–12 crime data, allowing us to improve the safety of our kids in school.

This year The Office of the New York State Comptroller released a study that underscored the need for such legislation. The report showed that at schools sampled, 80 percent of documented incidents of crimes went unreported to the State, with a number of

these instances being serious crimes. This is the type of information that we need that we are not currently getting.

As a parent, I truly believe it is imperative to be made aware of any crime that takes place in our children's schools. Our parents, educators, and children need and deserve a sense of comfort and security from their schools. When we have accurate data on what is occurring in our school, we will be able to develop effective policies to make sure our schools are safe. This bill is a critical first step in achieving this goal.

The infrastructure for collecting this data is already in place. All we have to do is determine the best way to utilize it. The Accurate Crime Trends for Schools Act will accomplish just that.

I hope that my colleagues will join me in support of this legislation.

I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 4065

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Accurate Crime Trends for Schools Act'' or the ''ACT for Schools Act''.

SEC. 2. STUDY AND REPORT.

(a) STUDY.—The Attorney General shall, after consultation with the Director of the Federal Bureau of Investigation and the International Association of Chiefs of Police, conduct a study to determine the feasibility of expanding the National Incident-Based Reporting System to include information on the occurrence of school-related crime in elementary schools and secondary schools. Such study shall include the identification and evaluation of methods that may be used to collect and report such information.

(b) REPORT.—Not later than 6 months after the date of enactment of this Act, the Attorney General shall submit a report containing the results of the study conducted under subsection (a) to the appropriate committees of Congress.

(c) DEFINITIONS.—In this section, the terms ''elementary school'' and ''secondary school'' have the meanings given the terms in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

SEC. 3. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to carry out section 2, $250,000 for fiscal year 2007.

By Mr. LEAHY (for himself, Mr. ALLARD, Mr. ROCKEFELLER, MR. BYRD, Mr. INOUYE, Mr. SALAZAR, Mr. ROBERTS, Ms. SNOWE, Mr. PRYOR, Mr. ENZI, Mrs. CLINTON and Mr. ENSIGN):

S. 4067. A bill to provide for secondary transmissions of distant network signals for private home viewing by certain satellite carriers; to the Committee on the Judiciary.

Mr. LEAHY. Mr. President, today I am pleased to introduce the Satellite Consumer Protection Act of 2006, and I am proud that Senators INOUYE, SNOWE, ALLARD, ROCKEFELLER, and BYRD, PRYOR, ENZI, and CLINTON are among those joining me in sponsoring this important bill. I regret the necessity of this legislation, but I am determined to protect consumers—especially consumers in rural areas such as Vermont.

This is a pro-consumer, bipartisan bill that addresses a problem that soon will face millions of Americans who subscribe to satellite TV services. I realize full well that this bill may not please the major corporations affected by this remedy, but its intent is not to help corporations, but to help home satellite viewers.

A Federal court recently found that EchoStar willfully, flagrantly and repeatedly violated Federal law, and I believe that EchoStar should be held to account for its decade of illegal activity. The situation is ultimately quite complicated, but the simplest version is this: EchoStar has been bringing distant network signals to areas that did not need satellite to provide access to that programming. But the penalty for such actions is harsh, and the court that heard the lawsuit had no choice: EchoStar will be required to stop retransmitting any distant signals. EchoStar flouted the law, but it is consumers who will suffer. Unless we pass this bill, many rural subscribers around the country will lose access to news and entertainment programming from the free, over-the-air broadcast networks.

The Satellite Consumer Protection Act is a practical, narrow, and—most importantly—pro-consumer solution to a problem of Echo Star's creation. The court-issued injunction, set to take effect December 1, will prohibit EchoStar from providing any distant network stations to any of its customers. Under the Satellite Consumer Protection Act, the injunction will apply to the roughly 95 percent of the country where EchoStar provides residents their local, over-the-air stations. Our legislation would only permit EchoStar to bring in distant network stations in three situations. First, where local stations are not available from a satellite provider, EchoStar could bring in a distant network station if it compensates the local station. Second, in areas that do not have affiliates of all four networks, EchoStar could bring in a distant signal of the missing network affiliate because no local station would be harmed. Third, stations from neighboring localities that are considered ''significantly viewed'' by the Federal Communications Commission, and are generally treated as local stations, could be carried.

This legislation would not be complete without an enforcement provision that will truly curb EchoStar's practice of illegally providing copyrighted content. The Satellite Consumer Protection Act therefore imposes real monetary penalties for violating the Act and requires EchoStar to put sufficient funds in escrow with the copyright office to cover any future violations.

This bipartisan bill respects the legitimate interests of broadcasters who have been harmed by EchoStar's actions, while it serves the interests of the people who are the innocent bystanders and the real victims of this emerging problem: the consumers who are paying for these services.

I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 4067

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Satellite Consumer Protection Act of 2006''.

SEC. 2. LIMITATIONS ON EXCLUSIVE RIGHTS: SECONDARY TRANSMISSIONS OF DISTANT NETWORK SIGNALS FOR PRIVATE HOME VIEWING BY CERTAIN SATELLITE CARRIERS.

(a) IN GENERAL.—Chapter 1 of title 17, United States Code, is amended by inserting after section 119 the following:

''§ 119A. Limitations on exclusive rights: secondary transmissions of distant network signals for private home viewing by certain satellite carriers

''(a) STATUTORY LICENSE GRANTED.—

''(1) IN GENERAL.—Notwithstanding any injunction issued under section 119(a)(7)(B), a satellite carrier found to have engaged in a pattern or practice of violations pursuant to section 119(a)(7)(B) is granted a statutory license to provide a secondary transmission of a performance or display of a work embodied in a primary transmission made by a network station in accordance with the provisions of this section.

''(2) SIGNIFICANTLY VIEWED SIGNALS.—Under the statutory license granted by paragraph (1), a satellite carrier may provide a secondary transmission of a primary transmission made by a network station as provided in paragraph (2)(C) or (3) of section 119(a).

''(3) DISTANT SIGNALS.—

''(A) IN GENERAL.—Under the statutory license granted by paragraph (1), a satellite carrier may provide a secondary transmission of a performance or display of a work embodied in a primary transmission made by a network station, subject to the limitations of subparagraphs (B) and (C), of not more than 1 network station in a single day for each television network.

''(B) NON-LOCAL-INTO-LOCAL MARKETS.—A satellite carrier may provide a secondary transmission under subparagraph (A) in a local market (as defined in section 122(j)) in which a satellite carrier does not currently provide, and has not ever provided, a transmission pursuant to a statutory license under section 122, if the satellite carrier—

''(i) complies with the terms and conditions for a statutory license under section 119; and

''(ii) certifies to the Copyright Office within 30 days after the date of enactment of the Satellite Consumer Protection Act of 2006, or before initiating service to a subscriber under this section, whichever is later, that all subscribers receiving secondary transmissions pursuant to a statutory license under this section in that local market reside in unserved households, as determined under section 119(a)(2)(B)(ii); and

''(iii) deposits, in addition to the deposits required by section 119(b)(1), a duplicate payment with the Register of Copyrights in the same amount for each network station in the local market affiliated with the same network as the network station being imported.

''(C) SHORT MARKETS.—In a local market (as defined in section 122(j)) in which a network station (as defined in section 119(d)) affiliated with the ABC, CBS, NBC, or Fox television network is not licensed by the Federal Communications Commission, a satellite carrier may provide secondary transmission under subparagraph (A) of the primary signals of a network station affiliated with that network, if the satellite carrier—

''(i) complies with the terms and conditions for a statutory license under section 119; and

''(ii) certifies to the Copyright Office within 30 days after the date of enactment of the Satellite Consumer Protection Act of 2006, or before initiating service to a subscriber under this section, whichever is later, that all subscribers receiving secondary transmissions pursuant to a statutory license under this section in that local market reside in unserved households, as determined under section 119(a)(2)(B)(ii).

''(D) SHORT MARKET EXCEPTION.—

''(i) IN GENERAL.—Notwithstanding subparagraph (C), a satellite carrier may not provide secondary transmission of the primary signals of a network station under that subparagraph if secondary transmission of those signals could be provided under paragraph (2).

''(ii) DISCONTINUANCE OF SECONDARY TRANSMISSION WHEN PRIMARY SIGNAL BECOMES AVAILABLE.—Notwithstanding subparagraph (C), a satellite carrier that has been providing secondary transmission of the primary signals of a network station under subparagraph (C) in a local market may not provide such secondary transmission in that local market more than 30 days after the date on which a network station affiliated with the same network begins to broadcast or rebroadcast the basic programming service of that network in that local market and could be carried pursuant to a license under section 122.

''(b) DISTRIBUTION OF DUPLICATE DEPOSIT AMOUNTS.—The Copyright Royalty Judges shall authorize the Librarian of Congress to distribute semiannually amounts received by the Register of Copyrights as deposits under subsection (a)(3)(B)(iii), after deducting the reasonable costs incurred by the Copyright Office and the Copyright Royalty Judges under this section, in accordance with a process that the Copyright Royalty Judges may prescribe by regulation, to a network station (as defined in section 119(d)(2)) affiliated with the network whose signals are being carried under this section to a community within the local market (as defined in section 122(j)) in which such signals are being provided under this section.

''(c) STATUTORY DAMAGES.—

''(1) IN GENERAL.—The violation by a satellite carrier of subsection (a) is actionable as an act of infringement under section 501 and is subject to statutory damages equal to $100 per month multiplied by the number of subscribers with respect to which the violation was committed for each month during which the violation was committed (treating each month of a continuing violation as a separate violation).

''(2) PETITION.—A petition for statutory damages may be made to the Copyright Royalty Judges, pursuant to such rules as may be prescribed by the Copyright Royalty Judges by regulation. In any proceeding under this section, the satellite carrier shall have the burden of proving that its secondary transmission of a primary transmission by a network station is to a subscriber who is eligible to receive the secondary transmission under this section.

''(3) ESCROW.—As a condition of using the statutory license under subsection (a), a satellite carrier must deposit the sum of $20,000,000 in escrow with the Copyright Office. The Copyright Office shall deposit the escrow funds in an account in the Treasury of the United States, in such manner as the Secretary of the Treasury directs, and invested in interest-bearing securities of the United States with any interest from such investment to be credited to the account. The Copyright Royalty Judges shall have exclusive jurisdiction to determine liability for and entitlement to the statutory damages owed to the petitioning party in accordance with a process to be prescribed by regulation and they shall authorize the Librarian of Congress to distribute funds from the escrow account to satisfy this determination. After all petitions under this section against a satellite carrier have been resolved, any amount remaining in the satellite carrier's escrow account after February 17, 2009, after deducting the reasonable costs incurred by the Copyright Office and the Copyright Royalty Judges under this section, shall be returned to the satellite carrier.

''(4) JUDICIAL REVIEW.—A satellite carrier may seek judicial review of all determinations of the Copyright Royalty Judges on a consolidated basis in a single petition of appeal to the United States Court of Appeals for the District of Columbia Circuit within 30 days after the later of—

''(A) February 17, 2009; or

''(B) the date on which all amounts in the escrow account have been distributed or returned.

''(d) SUNSET.—This section shall not apply after February 17, 2009.''.

(b) CONFORMING AMENDMENT.—The chapter analysis for chapter 1 of title 17, United States Code, is amended by inserting after the item relating to section 119 the following:

''119A. Limitations on exclusive rights: secondary transmissions of distant network signals for private home viewing by certain satellite carriers''.

Mr. ROCKEFELLER. Mr. President, today, I am pleased to join my colleagues Senators LEAHY and ALLARD in introducing the Satellite Consumer Protection Act of 2006. I am pleased that Senators BYRD, INOUYE, SALAZAR, SNOWE, ROBERTS, ENZI, and ENSIGN are original cosponsors.

I want to thank Senator LEAHY for his leadership on this issue. This bill builds upon the hard work and legislative language that Congressman RICK BOUCHER (D–VA) and I originally developed. Congressman BOUCHER has been invaluable in making all sure that all interested parties work together to protect consumers, and I must thank him for all of his hard work on this issue.

We have introduced this legislation to protect consumers who through no fault of their own can no longer receive network television signals from DISH Network. Our constituents have lost this right because of a nationwide legal battle between DISH Network and television broadcasters. The Court found that DISH Network had violated the law and imposed a penalty. This decision impacted thousands of my constituent and I believe that Congress needed to restore the ability of these consumers to receive network signals. For many rural West Virginians, cable television is not available.

We have a looming crisis on our hands and Congress must pass our bill immediately. We have a duty to our consumers to minimize the disruption to their daily lives, and our bill allows those consumers who do not have the ability to get local television stations in their area to continue to receive distant signals.

Again, I urge quick adoption of this legislation.

By Mr. AKAKA (for himself and Mr. INOUYE):

S. 4070. A bill to exempt children of certain Filipino World War II veterans from the numerical limitations on immigrant visas; to the Committee on the Judiciary.

Mr. AKAKA. Mr. President, it has long been evident that our immigration system needs to be reformed, and the current debate on immigration is long overdue. I am pleased that this body is addressing this important issue in such a comprehensive manner. However, if the Senate's debate on immigration is to be truly comprehensive, it must address not only its better-known propositions and factors but also its lesser-known ones as well.

My bill seeks to address and resolve an immigration issue that, while rooted in a set of historical circumstance more than seven decades old, remains unresolved to this day. It is an issue of great concern to Filipino World War II veterans and to Filipino Americans, and it ought to be an issue of great concern to all American veterans and citizens with an interest in justice and fairness.

Before I discuss the specifics of my bill, I would first like to thank my dear friend and colleague, the senior Senator from Hawaii, DANIEL K. INOUYE, for cosponsoring this bill. In the 101st Congress, Senator INOUYE authored Section 405 of the Immigration Act of 1990, which provided for the naturalization of Filipino World War II veterans. Senator INOUYE has a long history of being involved in this important effort and it is an honor to have his support on my bill today.

To understand the significance of this bill, it is important to first provide some background about the historical circumstances that got us to where we are today.

In 1941, on the basis of 1934 legislation enacted prior to Philippine independence, President Franklin D. Roosevelt issued an executive order. Through this order, President Roosevelt invoked his authority to ''call and order into the service of the Armed Forces of the United States,'' including ''all of the organized military forces of the Government of the Commonwealth of the Philippines.'' This order drafted more than 200,000 Filipino citizens into the United States military. Under the